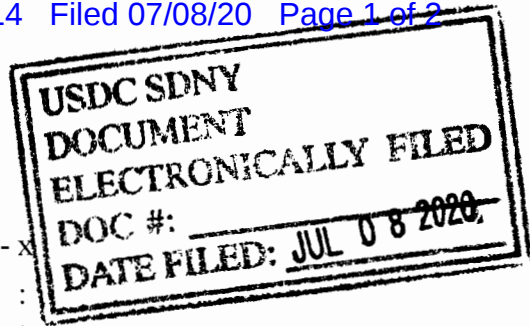


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JEANNETTE MARIE VIGOUREUX,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
-----X

MEMORANDUM DECISION
AND ORDER

19 Civ. 7981 (GBD) (KNF)

GEORGE B. DANIELS, United States District Judge:

Plaintiff Jeannette Marie Vigoureux brings this action against Defendant the Commissioner of Social Security under the Social Security Act, 42 U.S.C. §§ 405(g), 1383(c)(3), seeking review of an administrative law judge's decision denying Plaintiff disability insurance benefits. (Compl., ECF No. 2, at 1–2.) Defendant moved for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c). (Notice of Mot. for J. on the Pleadings, ECF No. 11.)

Before this Court is Magistrate Judge Kevin Nathaniel Fox's June 4, 2020 Report and Recommendation (the "Report"), recommending that Defendant's motion be granted. (Report, ECF No. 13, at 6.) Magistrate Judge Fox advised the parties that failure to file timely objections to the Report would constitute a waiver of those objections on appeal. (*Id.* at 6–7.) No objections have been filed.

A court "may accept, reject, or modify, in whole or in part, the findings or recommendations" set forth in a magistrate judge's report. 28 U.S.C. § 636(b)(1)(C). A magistrate judge's report to which no objections are made is reviewed for clear error. *See Edwards v. Fischer*, 414 F. Supp. 2d 342, 346–47 (S.D.N.Y. 2006) (citations omitted). Clear error is present when, "upon review of the entire record, [the court is] left with the definite and firm conviction that a

mistake has been committed.” *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006) (citation and internal quotation marks omitted).

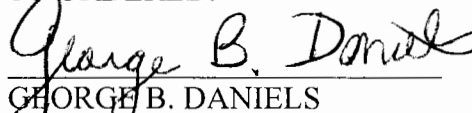
Magistrate Judge Fox concluded that the administrative law judge did not err in denying Plaintiff disability insurance benefits. Specifically, he found that the judge considered both physical and mental impairments and properly assessed the severity of Plaintiff’s impairments in light of the medical evidence in the record. (*See* Report at 6.) Magistrate Judge Fox determined that the administrative law judge’s “conclusion that [Plaintiff] does not have an impairment or combination of impairments that significantly limit her ability to perform basic work activities is supported by substantial evidence.” (*Id.*)

Magistrate Judge Fox’s findings regarding the administrative law judge’s decision were well-reasoned and grounded in fact and law. This Court has reviewed the Report, and finds no error, clear or otherwise. Accordingly, Magistrate Judge Fox’s Report is ADOPTED.

Defendant’s motion for judgment on the pleadings, (ECF No. 11), is GRANTED. The Clerk of Court is directed to close the motion accordingly.

Dated: New York, New York
July 8, 2020

SO ORDERED.



GEORGE B. DANIELS
United States District Judge